

Please type a plus sign (+) inside this box ☐

PTO/SB/05 (03-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))		Attorney Docket No. 20022/38497A	
		First Inventor Mario Spatafora	
		Title METHOD OF PRODUCING SOFT PACKETS OF CIGARETTES	
		Express Mail Label No. EV323772978US	
APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.		ADDRESS TO: Box Patent Application Commissioner for Patents Washington, DC 20231	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing)		7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)	
2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)	
3. <input checked="" type="checkbox"/> Specification (preferred arrangement set forth below) - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure [Total Pages 40]		a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies	
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 10]		ACCOMPANYING APPLICATIONS PARTS 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement [Power of Attorney] (when there is an assignee) 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations] 13. <input checked="" type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input type="checkbox"/> Other:	
5. Oath or Declaration [Total Pages] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).			
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76			
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: 10/145,254 Prior application information: Examiner Hemant Desai Group / Art Unit: 3721 For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.			
19. CORRESPONDENCE ADDRESS			
<input checked="" type="checkbox"/> Customer Number or Bar Code Label		04743 or <input checked="" type="checkbox"/> Correspondence address below	
Name MARSHALL, GERSTEIN & BORUN James J. Napoli			
Address 233 S. Wacker Drive, Suite 6300 Sears Tower			
City Chicago	State IL	Zip Code 60606-6357	
Country US	Telephone (312) 474-6300	Fax (312) 474-0448	
Name (Print/Type) James J. Napoli		Registration No. (Attorney/Agent) 32,361	
Signature <i>James J. Napoli</i>		Date June 27, 2003	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV323772978US, in an envelope addressed to: Box Patent Application, Commissioner for Patents, Washington, DC 20231, on the date shown below. Dated: June 27, 2003 Signature: <i>Richard Zimmermann</i> (Richard Zimmermann)			

FEE TRANSMITTAL

for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

Complete if Known

Application Number	Not Yet Assigned
Filing Date	June 27, 2003
First Named Inventor	Mario Spatafora
Examiner Name	Not Yet Assigned
Group Art Unit	N/A
Attorney Docket No.	20022/38497A

METHOD OF PAYMENT (check all that apply)

<input checked="" type="checkbox"/>	Check	<input type="checkbox"/>	Credit Card	<input type="checkbox"/>	Money Order	<input type="checkbox"/>	Other	<input type="checkbox"/>	None
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☐ Deposit Account

Deposit
Account
Number

13-2855

Deposit
Account
Name

**MARSHALL, GERSTEIN &
BORUN**

The Commissioner is hereby authorized to: (check all that apply)

<input type="checkbox"/>	Charge fee(s) indicated below	<input checked="" type="checkbox"/>	Credit any overpayments
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☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

	Large Entity	Small Entity
1. Revenue Recognition	Revenue is recognized when the performance obligation is satisfied, which is when control of the goods or services is transferred to the customer.	Revenue is recognized when the performance obligation is satisfied, which is when control of the goods or services is transferred to the customer.
2. Cost of Sales	Cost of sales is recognized when the revenue is recognized, and it is measured at the cost incurred to produce the goods or services.	Cost of sales is recognized when the revenue is recognized, and it is measured at the cost incurred to produce the goods or services.
3. Impairment of Financial Assets	Impairment of financial assets is recognized when there is a decrease in the fair value of the asset that is not recoverable.	Impairment of financial assets is recognized when there is a decrease in the fair value of the asset that is not recoverable.
4. Provisions for Contingent Liabilities	Provisions for contingent liabilities are recognized when there is a liability that is probable and can be measured reliably.	Provisions for contingent liabilities are recognized when there is a liability that is probable and can be measured reliably.
5. Share-based Payments	Share-based payments are recognized when the entity receives services from employees or directors in exchange for equity instruments.	Share-based payments are recognized when the entity receives services from employees or directors in exchange for equity instruments.
6. Financial Instruments	Financial instruments are recognized when the entity enters into a contract that gives rise to a financial asset or liability.	Financial instruments are recognized when the entity enters into a contract that gives rise to a financial asset or liability.
7. Leases	Leases are recognized when the entity enters into a contract that gives rise to a lease.	Leases are recognized when the entity enters into a contract that gives rise to a lease.
8. Intangible Assets	Intangible assets are recognized when the entity acquires an identifiable intangible asset that is separable from the entity's other assets.	Intangible assets are recognized when the entity acquires an identifiable intangible asset that is separable from the entity's other assets.
9. Goodwill	Goodwill is recognized when the entity acquires another entity and the purchase price is greater than the fair value of the identifiable intangible assets.	Goodwill is recognized when the entity acquires another entity and the purchase price is greater than the fair value of the identifiable intangible assets.
10. Provisions for Contingent Assets	Provisions for contingent assets are recognized when there is an asset that is probable and can be measured reliably.	Provisions for contingent assets are recognized when there is an asset that is probable and can be measured reliably.

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	750.00
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)	(\$)	750.00
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2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

			Extra Claims		Fee from below		Fee Paid
Total Claims	14	-20** =		x		=	0.00
Independent Claims	4	-3** =	1	x	84.00	=	84.00
Multiple Dependent						=	

	Large Entity	Small Entity
1. Revenue Recognition	Revenue is recognized when the performance obligation is satisfied, which is when control of the goods or services is transferred to the customer.	Revenue is recognized when the performance obligation is satisfied, which is when control of the goods or services is transferred to the customer.
2. Expense Recognition	Expenses are recognized when the related asset is consumed or the liability is incurred.	Expenses are recognized when the related asset is consumed or the liability is incurred.
3. Asset Recognition	Assets are recognized when the company has control over a resource that is expected to generate future economic benefits.	Assets are recognized when the company has control over a resource that is expected to generate future economic benefits.
4. Liability Recognition	Liabilities are recognized when the company has an obligation to transfer resources in the future.	Liabilities are recognized when the company has an obligation to transfer resources in the future.
5. Equity Recognition	Equity is recognized as the residual interest in the assets of the company after deducting liabilities.	Equity is recognized as the residual interest in the assets of the company after deducting liabilities.

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)	(\$)	84.00
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****or number previously paid, if greater; For Reissues, see above**

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge – late filing fee or oath	
1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)	(\$)	0.00
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SUBMITTED BY

Name (Print/Type)	James J. Napoli
-------------------	-----------------

Registration No.
(Attorney/Agent)

32,361

Complete (if applicable)

Telephone (312) 474-6614

Signature

James Okpalu

Date _____

June 27, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV323772978US, in an envelope addressed to: Box Patent Application, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: June 27, 2003

Signature: Richard Zimmermann (Richard Zimmermann)

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No: 20022/38497

PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. 1.53

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

Sir:

EV027099264US

Transmitted herewith for filing is the patent application of

Inventor(s): Mario Spatafora

Title: METHOD OF PRODUCING SOFT PACKETS OF CIGARETTES

1. Type of Application

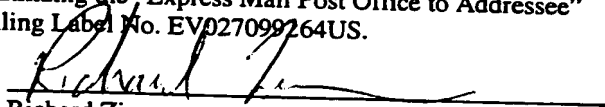
- ☒ This is a new application for a
- ☒ utility patent.
- ☐ design patent.
- ☐ This is a continuation-in-part application of prior application no. _____.

2. Application Papers Enclosed

- 1 Title Page
- 22 Pages of Specification (excluding Claims, Abstract, Sequence Listing & Drawings)
- 17 Page(s) of Claims
- 1 Page(s) of Abstract
- 10 Sheet(s) of Drawings (Figs. 1 to 12)
- ☐ Formal
- ☒ Informal
- 0 Page(s) of Sequence Listing

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Patent Application Transmittal and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on May 14, 2002, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EV027099264US.


Richard Zimmermann

3. **Declaration or Oath**

☐ Enclosed

☐ Executed by (check all applicable boxes)

☐ Inventor(s)

☐ Legal representative of inventor(s)
(37 CFR 1.42 or 1.43)

☐ Joint inventor or person showing a proprietary interest on behalf of
inventor who refused to sign or cannot be reached

☐ The petition required by 37 CFR 1.47 and the statement
required by 37 CFR 1.47 are enclosed. See Item 5D
below for fee.

☒ Not enclosed - the undersigned attorney or agent is authorized to file this application
on behalf of the applicant(s). An executed declaration will follow.

4. **Small Entity Status**

☐ Applicant claims small entity status. See 37 CFR 1.27.

☐ A small entity statement is(are) attached.

5. **Additional Papers Enclosed**

☐ Preliminary Amendment

☐ Information Disclosure Statement

☐ Declaration of Biological Deposit

☐ Computer readable copy of sequence listing containing nucleotide and/or amino
acid sequence

☐ Microfiche computer program

☐ Associate Power of Attorney

☐ Verified translation of a non-English patent application

☐ An assignment of the invention

☐ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)

☒ Return receipt postcard

☐ Other

6. **Priority Applications Under 35 USC 119**

Certified copies of applications from which priority under 35 USC 119 is claimed are listed below and

- ☐ are attached.
☒ will follow.

COUNTRY	APPLICATION NO.	FILED
Italy	BO 2001A 000298	May 14, 2001

7. **Filing Fee Calculation (37 CFR 1.16)**

A. ☒ **Utility Application**

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT(S) (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$370.00		\$740.00
TOTAL	42 - 20	= 22	X 9 =	\$	X 18 =	\$396.00
INDEP.	7 - 3	= 4	X 42 =	\$	X 84 =	\$336.00
First Presentation of Multiple Dependent Claim			+ 140 =	\$	+ 280 =	\$
Filing Fee:				\$	OR	\$1,472.00

B. ☐ **Design Application (\$165.00/\$330.00)**

Filing Fee: \$

C. ☐ **Plant Application (\$255.00/\$510.00)**

Filing Fee: \$

D. **Other Fees**

☐ **Recording Assignment [Fee — \$40.00 per assignment]**

\$

☐ **Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached [Fee — \$130.00]**

\$

☐ **Other**

\$

Total Fees Enclosed \$1,472.00

8. **Method of Payment of Fees**

- ☒ Enclosed check in the amount of: \$1,472.00
- ☐ Charge Deposit Account No. 13-2855 in the amount of: \$
A copy of this Transmittal is enclosed.
- ☐ Not enclosed

9. **Deposit Account and Refund Authorization**

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 or under other applicable rules (except payment of issue fees), to Deposit Account No. 13-2855. A copy of this Transmittal is enclosed.

Please refund any overpayment to Marshall, Gerstein & Borun at the address below.

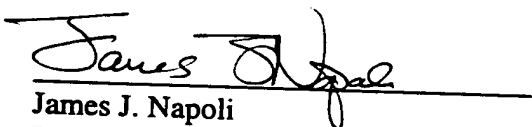
10. **Correspondence Address**

Customer No.: 04743

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357
(312) 474-6300
(312) 474-0448 (Telefacsimile)

By:


James J. Napoli
Reg. No: 32,361

May 14, 2002

New Patent Application for:

Mario Spatafora

For:

METHOD OF PRODUCING SOFT
PACKETS OF CIGARETTES

Mailing Certification for:

New patent application without executed
Declaration

Attorney Docket No:

20022/38497

"EXPRESS MAIL" mailing label No.

EV027099264US

Date of Deposit:

May 14, 2002

I hereby certify that this paper (or fee) is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C., 20231.


Richard Zimmermann